

# **CHAPTER 1.0**

## **INTRODUCTION**

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### 1.1 PURPOSE OF THE DOCUMENT

This document is a joint Environmental Impact Report/Environmental Assessment (EIR/EA) that meets the requirements of both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) for the Centinela Solar Energy Project (proposed project, or Proposed Action). This Draft EIR/EA describes the existing environment that would be affected by, and the environmental consequences which could result from, the proposed project and alternatives as described in Chapter 2.0 of this document.

The Centinela Solar Energy Project EIR (State Clearinghouse [SCH.] No.2010111056)/EA (#2010-64/2011-0007) is a public document for a renewable energy project, specifically a solar power facility. This EIR/EA analyzes the potential environmental effects associated with the approval of the proposed project/Proposed Action in accordance with both CEQA and NEPA. This document has been prepared by both Imperial County (local lead agency for CEQA, co-operating agency for NEPA) and the United States Department of the Interior Bureau of Land Management (BLM) El Centro Field Office (federal lead agency under NEPA) (40 Code of Federal Regulations [CFR] 1508.15), 1661 South 4th Street, El Centro, CA 92243. The EIR/EA provides sufficient evidence and analysis for determining the significance of effects from the Proposed Action consistent with 40 CFR 1508.9 and serves as a basis for reasoned choice among proposed alternatives. Additional explanation of the joint nature of this document is provided in subsection 1.5 of this Chapter.

### 1.2 PROJECT BACKGROUND

In 2002, California established a Renewable Portfolio Standard (RPS) requiring electric utilities in the State to increase procurement of eligible renewable energy resources to achieve a target of 20 percent of their annual retail sales by the year 2010. In 2008, by Executive Order (S-14-08), then Governor Arnold Schwarzenegger increased that target to 33 percent by the year 2020. In 2011, Governor Jerry Brown signed Senate Bill (SB) X1-2 into law. The Bill sets a three-stage compliance period requiring all California utilities, including independently owned utilities (IOUs), energy service providers, and community choice aggregators (CCAs), to generate 33 percent of their electricity from renewables by 2020: 20 percent by December 31, 2013, 25 percent by December 31, 2016, and 33 percent by December 31, 2020.

One form of renewable energy is solar power as harnessed through the use of photovoltaic (PV) technology. PV power systems convert sunlight into electricity. The process begins with individual PV cells that combine to form PV modules. The modules are sealed and connected to each other with wires to form a PV array. The PV arrays convert solar radiation into direct current (DC) electricity. The direct current from the PV array is collected at an inverter and converted to alternating current (AC). AC electricity is consistent with the current flowing through the electrical grid. Electricity flowing from the inverter is conducted to a step-up transformer before being conveyed to the transmission and distribution system (CSE, 2011e).

The proposed project is a solar power facility using PV technology proposed by Centinela Solar Energy (CSE), LLC (hereafter referred to as “Applicant”). One-hundred percent of the electricity generated by the proposed project will be eligible for use by California electric utilities to satisfy procurement obligations under the State’s RPS program.

On June 29, 2010, the Applicant submitted an application for a Conditional Use Permit (CUP) to the Imperial County Department of Planning and Development Services (ICPDS). The CUP application was submitted to allow construction and operation of a solar PV electric generation facility and associated electric line (Gen-tie Line) in western Imperial County near the Imperial Valley Substation. On

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September 17, 2010, the Applicant submitted an amendment of the June 29 application to incorporate two additional parcels of land. In November, 2010, the Applicant informed Imperial County of acquisition of additional parcels and the resulting changes to the proposed Project. The Notice of Preparation (NOP) for the Centinela Solar Energy Draft Environmental Impact Report (SCH. No. 210111056) issued by the ICPDS on November 12, 2010 incorporated the project description, as amended (CSE, 2011a).

On January 7, 2011, the Applicant submitted an Amended and Revised CUP Application to the ICPDS. This document consolidated the entire application and subsequent changes to the Project as well as responded to requests from the ICPDS for additional information needed to prepare the Draft EIR (CSE, 2011a).

On February 24, 2011, the Applicant submitted a Variance Application to the ICPDS. The Variance Application was submitted to address Gen-tie Line structures that exceed the zoning-imposed height limitations for the section of the Gen-tie Line on private lands. The proposed maximum height of the Gen-tie Line structures on private lands is 130 feet.

On April 29, 2010, the Applicant submitted an Application for Transportation and Utility Systems and Facilities on Federal Lands (Standard Form 299, or "SF-299") to the BLM. The SF-299 application requested a linear right-of-way (ROW) to construct and operate the Gen-tie Line and associated facilities on land managed by the BLM.

### **1.3 PROJECT OVERVIEW**

The proposed project/Proposed Action consists of two primary components within Imperial County: 1) a solar photovoltaic electric generation facility on privately owned land (Centinela Solar Energy [CSE] Facility) which is under the jurisdiction of Imperial County; and 2) a single circuit aboveground 230-kilovolt (kV) electrical generation line (Gen-tie Line) approximately six miles long connecting the CSE Facility with the Imperial Valley Substation which is on lands managed by the United States Department of the Interior Bureau of Land Management (BLM). Approximately 1.25 miles of the Gen-tie Line cross private lands and 4.25 miles of the transmission line extend through BLM lands. The proposed permanent ROW for the electrical transmission line corridor would be 125 feet wide.

#### **1.3.1 PROJECT LOCATION**

The CSE project Area (which includes the CSE Facility on private land and Gen-tie Line corridor through private property easements and lands managed by the BLM) is south of Seeley, California, near Mount Signal and approximately 8 miles southwest of the City of El Centro.

### **1.4 OBJECTIVES AND PURPOSE AND NEED FOR THE PROPOSED ACTION**

Pursuant to both CEQA and NEPA the following objectives and Purpose and Need have been identified for the proposed project/Proposed Action. Section 15124 of the CEQA Guidelines requires that the EIR include a statement of objectives sought by the proposed project. These objectives identify the underlying purpose of the project and provide a basis for identification of alternatives evaluated in the EIR. A clearly written statement of objectives allows the lead agency to develop a reasonable range of alternatives to evaluate in the EIR and aids the decision-makers in preparing findings or a statement of overriding considerations, if necessary. The stated objectives should include the underlying purpose of the project.

Similarly, pertaining to the BLM's analysis, the regulations implementing the National Environmental Policy Act (NEPA) require that an Environmental Assessment (EA) include brief discussions of the need

for the proposal, a reasonable range of alternatives, the environmental impacts of the proposed action and alternatives, and a listing of agencies and persons consulted (40 CFR 1508.9(b)).

The purpose and need for the project addresses the requirements set forth in both the CEQA Guidelines Section 15124 and 40 CFR 1508.9(b).

The overall purpose and need for the project is to provide economical and reliable renewable energy to the California electric system to help meet the demand for electricity during daylight hours. To meet this purpose, the project needs to be located in an area with a high-quality solar resource and in close proximity to a high-voltage electric system that (i) has available capacity to deliver electricity to major load centers in California and (ii) is under the management of the California Independent Service Operator (CAISO).

The project will help California meet its statutory and regulatory goals for increasing renewable power generation and use. In 2002, California established a Renewables Portfolio Standard (RPS) requiring electric utilities in the state to increase procurement of eligible renewable energy resources. The policy intended to achieve a target of 20 percent of the State's annual retail sales by the year 2010. The 20 percent renewable energy target was codified into state law in 2006. In 2008, by Executive Order (S-14-08), the Governor increased that target to 33 percent by the year 2020. In 2011, the Governor signed Senate Bill (SB) X1 2 into law. The bill sets a three-stage compliance period for all California utilities, including independently owned utilities (IOUs), energy service providers, and community choice aggregators (CCAs), to achieve the following milestones: 20 percent of their electricity from renewables by December 31, 2013, 25 percent by December 31, 2016, and 33 percent by December 31, 2020.

The CSE Facility qualifies as an Eligible Renewable Energy Resource as defined by the California Public Utilities Code and will help the state meet its current and planned goals for renewable energy development and use. The California Energy Commission (CEC) certified CSE as an eligible renewable energy resource under the RPS and assigned it CEC-RPS identification (ID) number 60837C.

### 1.4.1 APPLICANT

The Applicant's objectives, consistent with the directives of the State's RPS program, are specified as follows:

- Construct, operate and maintain solar energy generating facilities using proven technology to reliably and economically produce electricity during daylight hours
- Construct, operate and maintain above ground high-voltage electric line(s) and associated facilities to reliably and economically deliver the power produced by the generating facilities to the electric grid
- Complete construction and begin commercial operations on a schedule consistent with the Applicant's contractual obligations under the Power Purchase Agreements with San Diego Gas & Electric (SDG&E)
- Minimize impacts to environmental resources by locating project features on previously disturbed lands to the extent practicable
- Locate project infrastructure on federal lands inside designated energy corridors where practicable.

The Applicant's purpose and need for the project is to support Power Purchase Agreements (PPAs) that require the Applicant to begin delivering energy on a specific schedule. On May 13, 2010, San Diego Gas

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& Electric (SDG&E) and the Applicant announced an agreement for a 20-year PPA, under which SDG&E will purchase up to 130 megawatt(s) (MW) of power produced by the CSE Facility. On August 27, 2010, SDG&E and the Applicant announced an agreement for a second and separate PPA under which SDG&E will purchase up to an additional 45-MW of power produced by the CSE Facility. The Applicant is contractually obligated to commercial operation dates of April 2014 and September 2014, under the respective PPAs. To facilitate the Applicant's compliance with these contractual obligations, portions of the project are scheduled to begin start-up and testing in December 2012, with initial operations scheduled to commence in 2013. The Applicant has not entered into energy contracts for the remaining 100-MW, but the project site includes acreage to accommodate expansion and add capacity to meet growing energy demand.

### 1.4.2 IMPERIAL COUNTY

The purpose of the Proposed Action, also called "Project Objectives" under CEQA, is to capitalize on Imperial County's abundant solar energy (sunlight) to generate renewable energy consistent with the renewable energy objectives of the Imperial County General Plan. The following statements represent objectives of Imperial County and the Applicant:

- Construct and operate a solar energy facility which would help meet the increasing demand for clean, renewable electrical power.
- Construct and operate a solar power facility with minimal impacts to the environment by locating the facility on previously disturbed land.
- Operate a facility at a location that ranks amongst the highest in solar resource potential in the nation.
- Align transmission lines with existing lines contained within an existing utility corridor to minimize impacts to BLM land.
- Provide economic investment and diversification of the economic base for Imperial County.
- Reinforce Imperial County's position as a leader in the renewable energy sector.
- Operate a renewable energy facility that does not produce substantial noise, does not emit greenhouse gases (GHGs), and reduces existing water use on the project site.
- Meet the increasing demand for clean, renewable electrical power.
- Help reduce reliance on foreign sources of fuel, promote national security, diversify energy portfolios, contribute to the reduction of GHG emissions and generate "green" jobs.
- Contribute much needed on-peak power to the electrical grid in California.
- Help California meet its statutory and regulatory goal of increasing renewable power generation.
- Assist California in meeting its Renewable Portfolio Standard goals of 33 percent of electrical power retail sales by 2020 consistent with SB X1 2.
- Support U.S. Secretary of the Interior Salazar's Orders 3283 and 3285 making the production, development and delivery of renewable energy top priorities for the United States.

- Support the GHG reduction goals of Assembly Bill 832 (California Global Warming Solutions Act of 2006).

The objectives of the County for preparing the EIR/EA are to comply with the requirements of CEQA/NEPA to evaluate the potential environmental impacts of the proposed project/Proposed Action.

### 1.4.3 BLM PURPOSE AND NEED

In accordance with Federal Land Policy and Management Act (FLPMA) (Section 103(c)), public lands are to be managed for multiple-use that takes into account the long-term needs of future generations for renewable and non-renewable resources. The Secretary of the Interior is authorized to grant ROWs on public lands for systems of generation, transmission, and distribution of electric energy (Section 501(a)(4)). Taking into account the BLM's multiple use mandate, the purpose and need for the Proposed Action is to respond to a FLPMA ROW application submitted by the Applicant to construct, operate, maintain, and decommission a generation tie line and access roads through lands under the jurisdiction of the BLM in compliance with FLPMA, BLM ROW regulations, and other applicable Federal laws and policies.

In conjunction with FLPMA, the BLM authorities include:

- Executive Order 13212, dated May 18, 2001, which mandates that agencies act expediently and in a manner consistent with applicable laws to increase the "production and transmission of energy in a safe and environmentally sound manner."
- The Energy Policy Act 2005 (EPA 05), which sets forth the "sense of Congress" that the Secretary of the Interior should seek to have approved non-hydropower renewable energy projects on the public lands with a generation capacity of at least 10,000-MW by 2015.
- Secretarial Order 3285A1, dated March 11, 2009, and amended on February 22, 2010, which "establishes the development of renewable energy as a priority for the Department of the Interior."

## 1.5 JOINT CEQA/NEPA DOCUMENT

This EIR/EA was prepared as a joint State/Federal environmental document. The EIR portion of the document has been prepared pursuant to California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.). The EA portion of this joint EIR/EA has been prepared pursuant to the National Environmental Policy Act (42 U.S.C. § 4321 et seq., NEPA), and CEQ's NEPA regulations (40 CFR §§1500-1508).

### 1.5.1 CEQA EIR

Enacted in 1970 by the California legislature, the purpose of CEQA is to disclose to decision-makers and the public significant environmental effects of proposed activities and methods to avoid or reduce those effects through implementation of feasible alternatives or mitigation measures. In the State of California, virtually all discretionary projects are required to undergo environmental review in accordance with CEQA to determine if implementation of the proposed project would result in environmental impacts. A project requires environmental review under CEQA if it has the potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment. Specifically, a project requires environmental review if it incorporates an

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action undertaken by a public agency; is an activity that is supported in whole or in part through public agency contracts, grants, subsidies, etc.; or is an activity requiring a public agency to issue a lease, permit, license, certificate, or other entitlement (CEQA Guidelines, Section 15378(a)).

CEQA applies to California government agencies at all levels, including local government agencies that that issue permits or provide discretionary approvals for projects with the potential to affect the environment. CEQA requires public agencies to conduct an environmental review of the proposed project and consider its environmental effects before making a decision on the project. The purpose of an EIR is to provide decision-makers, public agencies, and the general public with an objective and informational document that fully discloses the potentially significant environmental effects associated with the proposed project, describes and evaluates reasonable alternatives to the project, and proposes mitigation measures that would avoid or reduce the project's significant effects. In accordance with Section 15121(a) of the CEQA Guidelines (California Administrative Code, Title 14, Division 6, Chapter 3), the purpose of an EIR is as follows:

*“An EIR is an informational document that will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”*

The County of Imperial is the lead agency for the preparation of this EIR under CEQA and is responsible for conducting the environmental review and certifying the EIR. The EIR portion of this document evaluates the direct, indirect, and cumulative impacts of the proposed project and alternatives in accordance with the provisions set forth in CEQA and the CEQA Guidelines. It will be used to address potentially significant environmental issues and recommend adequate and feasible mitigation measures, where possible, that could reduce or eliminate potentially significant environmental impacts.

CEQA requires State and local public agencies to prepare an EIR prior to approving any project that may have a significant effect on the environment. According to CEQA, a “project” is defined as the whole of an action that has the potential to result in a direct physical change or a reasonably foreseeable indirect physical change in the environment (State CEQA Guidelines Section 15378[a]). The Centinela Solar Energy Project is in Imperial County and meets the definition of a “project” as defined by CEQA. Imperial County (County) is the local public agency with jurisdiction over the project, serves as the lead agency for the project under CEQA, and has discretionary authority to issue conditional use permits for the project. The County is also a co-operating agency with the BLM in the preparation of EA. The County intends to use this EIR/EA to provide environmental review required for its consideration of the Conditional Use Permit application under CEQA. Likewise, consistent with the requirements of CEQA, the County will use the EIR/EA as a decision-making tool to assist with its determination whether to approve, modify, or deny the project activities within its jurisdiction.

### 1.5.2 NEPA EA

The Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 CFR §§1500-1508) describe the purpose of environmental review as to “ensure that environmental information is available to public officials and citizens before decisions are made and before actions are taken” (40 CFR §1500.1(b)). Project components (Gen-tie Line) on land under the jurisdiction of the United States Department of the Interior Bureau of Land Management (BLM) trigger the need for NEPA environmental review with the BLM as the lead agency.

The EA portion of this joint EIR/EA has been prepared pursuant to the National Environmental Policy Act (42 U.S.C. § 4321 et seq., NEPA), and CEQ's NEPA regulations (40 CFR §§1500-1508). The BLM is the lead

agency for this component of the joint document. The process for complying with NEPA is provided in the BLM's NEPA Handbook (BLM Handbook H1790-1). This handbook provides instructions for compliance with the Council on Environmental Quality's (CEQ's) regulations for implementing NEPA and the U.S. Department of the Interior's manual guidance on NEPA.

An EA can result in either a Finding of No Significant Impact (FONSI), Mitigated Finding of No Significant Impact (MFONSI) or is a precursor to an EIS. A FONSI requires no further environmental evaluation of effects in all issue areas. Conversely, if unavoidably significant impacts are identified in the EA, an Environmental Impact Statement (EIS) will be prepared. If the BLM determines that a FONSI is appropriate, the FONSI need only provide a basis for the conclusion that the project will have no significant effect on the human environment and reasons as to why this is the case. According to Section 7.1 of the BLM Handbook, the BLM may use a mitigated FONSI rather than an EIS if the agency is "able to reasonably conclude, based on the EA analysis, that the mitigation measures would be effective in reducing effects to non-significance."

The BLM will review the EA to determine if a FONSI can be prepared. If the BLM prepares a FONSI, a Decision Record will be prepared for the approval of the grant of ROW. However, if the BLM cannot prepare a FONSI, an EIS will be required for this project.

### **1.5.3 REVIEW & CERTIFICATION PROCESS**

#### **1.5.3.1 CEQA PROCESS**

##### **A. Notice of Preparation**

Due to the potential significant impacts resulting from the proposed Centinela Solar Energy Project, the County determined that an EIR would be necessary. The County prepared an Initial Study (Code of California Regulations [CCR] 15063b (1)(A)) and subsequently issued a Notice of Preparation (NOP) for the preparation of an Environmental Impact Report (SCH. No. 210111056)/Environmental Assessment for the Centinela Solar Energy Project on November 12, 2010 (discussed further in subsection 1.9, below). The NOP was distributed to city, county, state and federal agencies, other public agencies, and various interested private organizations and individuals to define the scope of the EIR/EA. The NOP was also published in the Holtville Tribune on November 11 and 12, 2010. The purpose of the NOP was to identify public agency and public concerns regarding the potential impacts of the Proposed Action, and the scope and content of environmental issues to be addressed in the EIR/EA. Comment letters in response to the NOP were received from Caltrans, the Imperial Irrigation District, the Native American Heritage Commission, the Imperial County Agricultural Commissioner, the Imperial County Farm Bureau and the U.S. Customs and Border Protection. A summary of the areas of controversy or issue raised in these letters is summarized in **Table 1.0-2**.

##### **B. Draft EIR**

The Draft EIR (DEIR) includes a detailed description of the proposed project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant. An analysis of project alternatives is also provided as well as a discussion of cumulative impacts, other CEQA required considerations and impacts found not to be significant. Upon completion of the DEIR, a Notice of Completion (NOC) was filed with the State Office of Planning and Research by the County. The NOC signals the start of the public review period for the DEIR (CCR 15085).



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### **C. Public Notice/Public Review**

The DEIR public review and comment period should be no less than 30 days and no longer than 60 days. In the case of the proposed project, the review period will be 50 days (45 day minimum per CEQA, plus five days per County of Imperial Guidelines).

On October 14, 2011 a Notice of Completion (NOC) was filed with the State Clearinghouse for the Draft Environmental Impact Report (DEIR), concurrently kicking off the 50-day public review period of the DEIR document and associated technical appendices. The public review period on the DEIR ends on December 2, 2011 after which time all comments received will be responded to (See item D, “Response to Comments/Final EIR” below).

Concurrent with filing the NOC, the County is also required to provide notice to the public, agencies, organization and other interested parties of the availability of the DEIR for review and comment. A Notice of Availability (NOA) was published on October 14, 2011 in the Imperial Valley Press newspaper as well as posted at the County’s website and libraries (see also subsection 1.10). Public comment on the DEIR will be accepted in written form. Details on where to send questions or comments are provided in subsection 1.10.

### **D. Response to Comments/Final EIR**

A Final EIR (FEIR) will be prepared following the public review and comment period for the DEIR.

The FEIR will respond to written comments received during the public review and comment period and to oral comments made at any public hearings.

### **E. Certification of the EIR**

The FEIR will be independently reviewed and considered by the County. If the FEIR is deemed “adequate and complete,” the County may certify the EIR at a public hearing. In general, the rule of adequacy holds that the EIR can be certified if it demonstrates a good faith effort at full disclosure of environmental information and provides sufficient analysis to allow decisions to be made regarding the project in terms of its environmental consequences.

Following review and consideration of the FEIR, the County may take action to approve, conditionally approve, revise, or reject the project. Written findings would accompany a decision to approve or conditionally approve the project (CCR Section 15091). Likewise a statement of overriding considerations would be prepared if necessary (CCR Section 15093). A Mitigation Monitoring and Reporting Program (MMRP), as described below, would also be adopted for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment.

### **F. Mitigation Monitoring**

The County must adopt an MMRP for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment (CCR Section 15097). This program will be designed to ensure that these measures are carried out during project implementation.

The specific reporting or monitoring program required by CEQA is not required to be included in the EIR. However, any mitigation measures adopted by the County as part of the certified FEIR will be considered as conditions for approval of the project and will be included in the MMRP to ensure and verify compliance.

### **1.5.3.2 NEPA Process**

The EA with associated technical appendices will be circulated for public comment and review for 30 calendar days. Upon the completion of the 30-day public comment and review period, a determination from BLM will be made regarding the selected alternative in the form of either a: 1) Notice of Intent for the preparation of an Environmental Impact Statement if there are significant, unavoidable effects to the human environment; or 2) Finding of No Significant Impact circulated explaining the reasons why the selected action will not have a significant effect on the human environment. A Decision Record would be published to document the decision by BLM.

## **1.6 AGENCY ROLES AND RESPONSIBILITIES**

The roles and responsibilities of Imperial County and the BLM are described below. The County is serving as a “cooperating agency” on this project.

### **1.6.1 IMPERIAL COUNTY**

Private land on which the CSE Facility is proposed is zoned A-2 - General Agriculture, A-2-R - General Agriculture, Rural Zone and A-3 - Heavy Agriculture, and S-1 - Open Space/Recreation. The application for the proposed project requests approval of a Conditional Use Permit (CUP) by Imperial County to allow the construction and operation of the proposed solar energy facility on a project site consisting of 23 legal parcels zoned for agriculture. The Imperial County Code of Ordinances Title 9, Division 5 (Zoning Areas Established), identifies permitted uses within various zones as well as uses requiring a CUP.

Imperial County Code Section 90508.0 addresses uses in the A2 and A-2-R zone. The following uses are permitted subject to approval of a CUP from Imperial County: solar energy electrical generator, electrical power generating plant, major facilities relating to the generation and transmission of electrical energy, and resource extraction and energy development.

Section 90509.01 identifies permitted uses in the A-3 zone. “Transmission lines, including supporting towers, poles, microwave towers, utility substations” are permitted uses.

Section 90518.02 addresses uses in the S-1 zone. Subject to approval of a CUP from Imperial County, electrical generation plants (less than 50-MW), facilities for the transmission of electrical energy (100-200-kV), and electrical substations in an electrical transmission system (500-kV/230-kV/161-kV) are permitted.

In addition to a CUP, the proposed Project would require approval of a variance by Imperial County to allow the proposed transmission towers on private lands to exceed the 120-foot height limit. This height variance is applicable only to the portion of the proposed project within the jurisdiction of Imperial County, which includes the CSE facility and the Gen-tie Line corridor extending through private lands south of SR-98. No land use changes would be required to implement the proposed project.

Pursuant to CEQA, the proposed project will require the following County authorizations:

- Certification of the EIR;
- Approval of a project Mitigation Monitoring and Reporting Program;
- Approval of CEQA Findings pursuant to CEQA Guidelines Section 15091;
- Approval of project Site Plan.

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Subsequent County ministerial approvals may include, but are not limited to, issuance of the following:

- Demolition permit
- Grading and clearing permits
- Building permits
- Septic system permits
- Occupancy permits
- Encroachment permits

### 1.6.2 BUREAU OF LAND MANAGEMENT

The Gen-tie Line transects three distinct property segments. The Gen-tie Line will originate at the CSE Facility Substation, immediately south of SR 98 and approximately one-half mile east of Pulliam Road, and extend approximately 1.5 miles west through the CSE Facility site. From the western boundary of the CSE Facility site, the Gen-tie Line will extend across the West Side Main Canal and continue approximately 1.25 miles through private lands south of SR 98. The remaining approximately 4.25 miles extends through land under the jurisdiction of the BLM, first west then north, to connect with the Imperial Valley Substation. This land is subject to federal oversight and management by the BLM for public benefit and use on a variety of levels ranging from preservation and recreation to utilities and infrastructure corridors. The Applicant has submitted a ROW application to the BLM for the segment approximately 4.25 miles to the Imperial Valley Substation. For most of its length, the Gen-tie Line is proposed as a ROW adjacent to existing 230-kV electric lines. The proposed BLM ROW width is 125 feet.

The BLM has identified 16 energy production and utility corridors in the California Desert Conservation Area Plan (BLM, 1980) labeled A through O and BB. The corridors range in width from 2 to 5 miles and contain facilities such as power lines, telephone poles, coaxial cables, and pipelines. The Gen-tie Line route is proposed entirely within Utility Corridor N. Significant existing electrical infrastructure currently exists on the BLM land within Corridor N, including the Imperial Valley Substation, six 230-kV electric lines, and two 500-kV electric lines.

The proposed Gen-Tie Line would extend through Corridor N. The proposed Gen-tie Line is an allowed use within Corridor N and is consistent with the CDCA Plan. Therefore, a Plan Amendment for the CDCA Plan is not needed. However, to obtain the ROW approval, the Applicant submitted a “Standard Form-299 Application for Transportation and Utility Systems and Facilities on Federal Lands” to the BLM.

### 1.6.3 OTHER AGENCY REVIEWS AND/OR CONSULTATIONS

The project would require permits and approvals from various federal, State and local regulatory agencies. The agencies and potential permits and approvals are identified below.

#### 1.6.3.1 FEDERAL

##### G. United States Army Corps of Engineers

The United States Army Corps of Engineers (ACOE) has jurisdiction over waters of the United States and jurisdictional wetlands. Impacts to waters or jurisdictional wetlands/washes resulting from the project are expected to be insufficient to trigger ACOE notification requirement. The project is anticipated to receive permit coverage under Clean Water Act Section 404, Nationwide Permit No. 12.

## **H. United States Fish and Wildlife Service**

The United States Fish and Wildlife Service (USFWS) is responsible for oversight of the Federal Endangered Species Act (ESA) and the Migratory Bird Treaty Act. USFWS would be consulted regarding the project's potential to impact special-status species or their habitat. If the project may affect a listed species, the Applicant will consult with USFWS pursuant to ESA Section 7 and, if required, request take authorization.

## **I. BLM and California State Historic Preservation Office (SHPO)**

The BLM will comply with Section 106 of the National Historic Preservation Act (NHPA). Public Resources Code (PRC) Section 5024 requires consultation with the State Office of Historic Preservation (SHPO) when a project may impact historical resources on state-owned land. The Proposed Action and Alternatives do not impact a historical resource on state-owned land and as such, consultation is not required.

The BLM has invited tribes into consultation by letter dated February 18, 2011. The BLM will initiate formal consultation with the SHPO and Advisory Council on Historic Preservation (ACHP), which may lead to the development of a Programmatic Agreement (PA), a Memorandum of Agreement (MOA) or other finding. At the time of circulation of the Draft EIR/EA, it is anticipated that a Memorandum of Agreement may be executed. Pursuant to Section 106 of NHPA, determinations of significant impacts and/or mitigation measures cannot be made without consultation and the Decision Record must include either an executed MOA or PA if there are any significant impacts. The Decision Record will likely occur after Imperial County decision-makers review the Proposed Action and Alternatives for compliance with CEQA. If there are significant impacts discovered during the consultation, then when the PA or MOA is fully executed, the Proposed Action and Alternatives will have fulfilled the requirements of the NHPA and NEPA. The PA or MOA must be executed prior to the BLM's issuance of the Decision Record.

## **J. U.S. Department of Defense (DOD) and/or Federal Aviation Administration (FAA)**

At the request of the BLM, the Applicant prepared a Corridor Conflicts Analysis, which evaluated the compatibility of the project with air space restrictions using on-line tools provided by the Federal Aviation Administration and Department of Defense. The FAA Notice Criteria Tool outputs indicated that notice is not required for the Gen-tie Line structures. Likewise, the Department of Defense (DoD) Preliminary Screening Tool (PST) was used to screen several locations along the entire Gen-tie Line route. In all instances the PST indicated that the Gen-tie Line would not be likely to create impacts to military airspace. A Determination of no hazard to air navigation is anticipated from DOD and FAA.

### **1.6.3.2 State**

## **A. California Department of Fish and Game**

The California Department of Fish and Game (CDFG) is responsible for overseeing the California Endangered Species Act, approving Streambed Alteration Agreements (Section 1602 of the California Fish and Game Code), and enforcing the California Native Plant Protection Action.

CDFG will review the project for potential effects on State listed species and consider issuance of Section 1602 Streambed Alteration Agreement for impacts on drainages from construction if applicable.

CDFG will review the mitigation agreement and mitigation plan for plants listed as rare, if applicable, as part of California Native Plant Protection Act requirements.

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### **B. California Regional Water Quality Control Board (RWQCB), Colorado River Basin Region 7**

The California Regional Water Quality Control Board (RWQCB), Colorado River Basin Region 7 is responsible for regulating water quality. Before construction begins, the project will obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (currently Order No. 2010-0014-DWQ; NPDES No. CAS000002). The permit requires the applicant to file a public Notice of Intent (NOI) to discharge stormwater and to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). The RWQCB will be consulted regarding potential impacts to jurisdictional waters. If applicable, Clean Water Act Section 401 Water Quality Certification, and permitting under California Porter-Cologne Act, will be obtained for the project.

### **C. California Department of Transportation (Caltrans)**

The California Department of Transportation (Caltrans) has jurisdiction over all State highways and roads. The project will require an encroachment permit for any activities within highway easements, including placement of electric line across, within, under or over state highway ROW.

### **D. California Department of Toxic Substances Control (DTSC)**

The California Department of Toxic Substances Control (DTSC) oversees toxic substances procedures and remediation. DTSC will review the Hazardous Materials Management Plan or Program and hazardous materials transportation plans, if applicable.

### **E. California Environmental Protection Agency**

The California Environmental Protection Agency (CalEPA) oversees various aspects of environmental protection throughout the State. CalEPA will review the Hazardous Materials Management Plan or Program, if applicable.

### **F. California Native American Heritage Commission**

The California Native American Heritage Commission (NAHC) strives for the preservation and protection of Native American human remains and associated grave goods. The NAHC will be consulted regarding the proposed project's potential to affect Native American resources.

### **G. California Occupational Safety and Health Administration**

The California Occupational Safety and Health Administration (CalOSHA) is responsible for protecting workers and the public from safety hazards. CalOSHA will review the Hazardous Materials Management Plan or Program, if applicable.

## **1.6.3.3. LOCAL**

### **A. Imperial County Air Pollution Control District**

Imperial County Air Pollution Control District (ICAPCD) is responsible for enforcing air emission requirements in the County. The ICAPCD will review the proposed project for consistency with the ICAPCD CEQA Air Quality Handbook, the 1991 Air Quality Attainment Plan, and the State Implementation Plan for PM<sub>10</sub> in the Imperial Valley. The ICAPCD will also issue a dust control permit for the project.

**B. Imperial County Fire Department**

The Imperial County Fire Department would provide fire projection service to the project. The Department will review the project including the final design of the proposed fire system.

**C. Imperial County Sheriff's Department**

The Imperial County Sheriff's Department would provide law enforcement service to the project, as necessary. The Department will review the project, including the final design, for adequate emergency access.

**D. Imperial Irrigation District**

The Imperial Irrigation District (IID) has infrastructure on and surrounding the project site including drains, canals and overhead infrastructure. IID will review the project and approve encroachment permits, as necessary.

**1.7 POSSIBLE BENEFITS OF THE PROPOSED ACTION****1.7.1 SOCIAL AND ENVIRONMENTAL BENEFITS**

The Proposed Action will help California meet its statutory and regulatory goals for increasing renewable power generation and use. In addition, the project will benefit the people of the State and Imperial County through other socioeconomic and environmental benefits including:

- Short-term benefits include hundreds of construction-related jobs and associated benefits from increased retail and service-sector employment. Construction activity and equipment procurement will result in sales and use tax revenue for the county and state.
- Long-term benefits include:
- Permanent operations and maintenance employment opportunities at the site and demand for local products and services.
- Increased supplies of electricity from clean, renewable sources lessen the need for electricity generated from fossil fuels which in turn reduces air emissions and demand on limited fossil fuel supplies.
- The project will require few public services. It is not expected to increase the need for fire and police services or substantially increase traffic or other demands on infrastructure.
- The project will significantly reduce the water demand that would otherwise be used for irrigation of the project site.

**1.7.2 PROMOTING STABLE ELECTRICITY PRICES**

Energy prices have steadily increased in recent years with wholesale electricity pricing rising during peak hours of demand. A solar energy project, such as the proposed facility, can produce electricity during peak demand periods when prices are highest and energy is needed the most. This reduces stress on the electric grid during peak hours eliminating the need to activate peaker plants. Electricity prices are

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stabilized as a result of a more consistent and reliable supply of energy available during periods of heavy demand.

### 1.7.3 JOB CREATION

The proposed facility will create several hundred construction-related jobs during the construction phase. A small number of long-term jobs would be created in association with operations, maintenance and security.

### 1.7.4 MINIMAL USE OF IMPORTED FUELS

Once the proposed facility is completed, it will operate without the need for substantial amounts of imported fuels. Only a limited amount of fossil fuels would be consumed as part of operations and maintenance (e.g., employee vehicular trips, security lighting).

### 1.7.5 PROTECTING PUBLIC HEALTH

Once operational, the facility will emit 759.7 metric tons (MT) per year of GHGs in association with electricity production. Minimal greenhouse gas emissions would be produced from operations and maintenance related activities associated with vehicle trips. Based on project build-out of up to 275-MW, this will off-set approximately 807,000 MT of CO<sub>2</sub> equivalents (CO<sub>2</sub>e) annually from the atmosphere based on an electricity emission factor of 739 pounds of CO<sub>2</sub>e per megawatt-hour (MWh) (CEC, 2011, Section II, page 6). In addition, a substantial amount of criteria pollution emissions will be displaced by the project which would help reduce respiratory afflictions and other public health conditions associated with poor air quality.

### 1.7.6 IMPROVING AIR QUALITY

As a solar energy facility, the Centinela Solar Energy Project would eliminate emissions of criteria pollutants that would have otherwise originated from fossil-based electricity production. **Table 1.0-1** shows the estimated criteria pollutant emission rates from fossil-based power generation in the California grid mix and the amount of emissions displaced by the project annually at completion (275-MW).

**TABLE 1.0-1  
ESTIMATED CRITERIA POLLUTANT EMISSION REDUCTIONS CREATED BY THE PROPOSED ACTION**

Air Pollutant	Emission Factor (lb/MWh)	Annual Emission Displaced by Proposed Action (lbs)
CO	0.487	222,000
NO <sub>x</sub>	0.227	103,400
PM <sub>10</sub>	0.040	18,200
ROGs	0.032	14,600
SO <sub>x</sub>	0.0022	1,000

Source: Wolff, G. 2005.

### 1.7.7 BENEFITS TO COMMUNITIES WITH A PLURALITY OF MINORITY OR LOW-INCOME POPULATIONS

The Centinela Solar Energy Project is proposed south of Seeley, California near Mount Signal and approximately 8 miles southwest of the City of El Centro. Both Seeley and El Centro have low-income

rural populations. The proposed project is expected to create local employment opportunities during both construction and operation. Furthermore, Imperial County will benefit from millions of dollars in property tax assessments over the course of the project's lifecycle. These funds will be used to provide municipal services for local communities.

### **1.8 RELATIONSHIP TO STATUTES, REGULATIONS AND OTHER PLANS**

#### **1.8.1 FEDERAL**

##### **1.8.1.1 NATIONAL ENVIRONMENTAL POLICY ACT**

The NEPA process should be understood as an overall framework for the environmental evaluation of federal actions. The President's Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the NEPA (40 CFR Parts 1500-1508) require Federal agencies to identify and assess reasonable alternatives to proposed actions that will restore and enhance the quality of the human environment and avoid or minimize adverse environmental impacts. (See also DOE Regulations, 10 CFR Part 1021.) Federal agencies are further directed to emphasize significant environmental issues in project planning and to integrate impact studies required by other environmental laws and Executive Orders into the NEPA process. The BLM must also comply with the Department of the Interior's regulations applicable to implementing the procedural requirements of NEPA (43 CFR Part 46), as well as the BLM's NEPA Handbook (H-1790-1) in processing right-of-way applications (BLM, 2008).

##### **1.8.1.2 FEDERAL LAND POLICY AND MANAGEMENT ACT, 1976 AS AMENDED**

The Federal Land Policy and Management Act (FLPMA) was passed by Congress in 1976 (Public Law 94-579). Title V, "Rights-of-Way" of the FLPMA establishes public land policy, guidelines for administration, provides for management, protection, development, and enhancement of public lands, and provides the BLM authorization to grant right-of-way. Authorization of systems for generation, transmission, and distribution of electric energy is addressed in Section 501(4) of Title V. In addition, Section 503 specifically addresses "Right of Way Corridors" and requires common right-of-ways "to the extent practical". FLPMA, Title V, Section 501(a)(6) states, "The Secretary, with respect to the public lands (including public lands, as defined in section 103(e) of this Act, which are reserved from entry pursuant to section 24 of the Federal Power Act (16 U.S.C. 818)) [P.L. 102-486, 1992] and, the Secretary of Agriculture, with respect to lands within the National Forest System (except in each case land designated as wilderness), are authorized to grant, issue, or renew rights-of-way over, upon, under, or through such lands for roads, trails, highways, railroads, canals, tunnels, tramways, airways, livestock driveways, or other means of transportation except where such facilities are constructed and maintained in connection with commercial recreation facilities on lands in the National Forest System;" (BLM, 2001, p. 35).

##### **1.8.1.3 CALIFORNIA DESERT CONSERVATION AREA (CDCA) PLAN, 1980 AS AMENDED**

Section 601 of the Federal Land Policy and Management Act (FLPMA), requires that the BLM develop a plan to "... provide for the immediate and future protection and administration of the public lands in the California Desert within the framework of a program of multiple use and sustained yield, and the maintenance of environmental quality." Section 601 is specifically included in the FLPMA to give direction about the California Desert Conservation Area (CDCA). In that section, Congress required the preparation of a comprehensive long-range Plan for the CDCA. The proposed Gen-tie Line component of the Proposed Action is entirely in the Yuha Basin Area of Critical Environmental Concern (ACEC) of the CDCA.



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### **1.8.1.4 FEDERAL WATER POLLUTION CONTROL ACT**

The Federal Water Pollution Control Act (33 U.S.C. §§ 1251-1387), otherwise known as the Clean Water Act, is a comprehensive statute intended to restore and maintain the chemical, physical and biological integrity of the nation's waters. The Clean Water Act was signed into law in 1972. The U.S. Environmental Protection Agency (EPA) has primary authority for implementation and enforcement of the Clean Water Act.

The Act authorizes water quality programs, requires federal effluent limitations, and state water quality standards. The Act also requires permits for the discharge of pollutants into navigable waters and provides enforcement mechanisms. Additionally, the Act authorizes funding for wastewater treatment, works construction grants, state revolving loan programs, and funding to states and tribes for water quality programs. The Act includes provisions which require permits to dispose of dredged and fill materials into navigable waters. The Act also includes provisions to address water quality problems in specific regions and waterways which are important for wildlife protection purposes. Permits are issued by the U.S. Army Corps of Engineers under guidance developed by EPA pursuant to Section 404 of the Clean Water Act.

### **1.8.1.5 FEDERAL CLEAN WATER ACT AND CALIFORNIA PORTER-COLOGNE WATER QUALITY CONTROL ACT**

Water Quality Control Plans or Basin Plans are required for the nine state-designated hydrologic basins in California by the Federal Clean Water Act and the California Porter-Cologne Water Quality Control Act. The Basin Plan serves to guide and coordinates the management of water quality within the region. The Proposed Action is within the Colorado River Basin (CRB) Regional Water Quality Control Board (RWQCB), Region 7.

### **1.8.1.6 FEDERAL CLEAN AIR ACT**

The Clean Air Act of 1990 contains the legal authority for federal programs regarding air pollution control. This legislation modified and extended federal legal authority provided by earlier Clean Air Acts.

The Act also authorizes the USEPA to establish National Ambient Air Quality Standards to protect public health and the environment.

### **1.8.1.7 FEDERAL ENDANGERED SPECIES ACT**

The Federal Endangered Species Act (ESA) (16 USC. §§ 1531-1544) provides protection for plants and animals that are at risk of extinction. The Act identifies a process for listing species, which allows for petition from any party to list a plant or animal. The U.S. Fish and Wildlife Service or the National Marine Fisheries Service determines whether listing the species is warranted and if so, whether the species will be listed as threatened or endangered. Endangered species receive greater protection under the statute than threatened species.

The ESA also requires that all federal agencies ensure that their actions do not jeopardize the continued existence of a listed species or result in destruction or adverse modification of designated critical habitat of such species. These actions include actions on federal property, such as BLM lands, and actions taken as a result of federal involvement, such as building a state highway with funding from the federal government.

Section 9 of the ESA prohibits the "take" of listed fish and wildlife species, but not plant species. The definition of "take" includes killing, harming, and harassing, and, by regulation, "significant habitat modification or degradation that actually kills or injures wildlife" 50 CFR § 17.3.

### 1.8.1.8 MIGRATORY BIRD TREATY ACT

The Migratory Bird Treaty Act (MBTA) became law in 1918. The MBTA outlaws "take" of migratory birds, their eggs, feathers or nests. Under the MBTA, "take" is defined to include by any means or in any manner, any attempt at hunting, pursuing, wounding, killing, possessing or transporting any migratory bird, nest, egg, or part thereof. The Bald and Golden Eagle Protection Act affords additional protection to these species. The U.S. Fish and Wildlife Service is responsible for administering the MBTA.

### 1.8.1.9 NATIONAL HISTORIC PRESERVATION ACT

Federal regulations (36 CFR Part 800.2) define historic properties as "any prehistoric or historic district, site, building, structure, or object included, or eligible for inclusion in, the National Register of Historic Places (NRHP)." Section 106 of the NHPA (Public Law 89-665; 80 Stat 915; USC 470, as amended) requires a federal agency with jurisdiction over a project to take into account the effect of the project on properties included in or eligible for the NRHP. Section 106 also allows the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment. The term "cultural resource" is used to denote a historic or prehistoric district, site, building, structure, or object, regardless of whether it is eligible for the NRHP.

The BLM, as the lead federal agency, invited tribes into consultation pursuant to the Executive Memorandum of April 29th, 1994, as well as other relevant laws and regulations, including Section 106 of the NHPA. To date, fifteen Native American tribes have been identified and invited to consult. The BLM invited the tribes into government-to-government consultation by letter on February 18, 2011. Local Native Americans were invited to participate in the field survey. The Cocopah Indian Tribe was able to send a representative out with the survey crew. With their consent, Native American input during the survey was documented in the daily survey log. The consultation process is still ongoing.

### 1.8.1.10 FLAT-TAILED HORNED LIZARD RANGEWIDE MANAGEMENT STRATEGY

Numerous cooperating federal and state agencies created the *Flat-tailed Horned Lizard Rangewide Management Strategy* to provide guidance for the conservation and management of sufficient habitat to maintain extant populations of flat-tailed horned lizards (FTHL) in each of the five Management Areas identified in the Strategy. The proposed Gen-tie Line component of the Proposed Action is in the Yuha Desert Flat-Tailed Horned Lizard Management Area.

## 1.8.2 STATE

### 1.8.2.1 RENEWABLES PORTFOLIO STANDARD PROGRAM

This Renewables Portfolio Standard Program requires investor-owned utilities to obtain 33 percent of the power supplied to their customers to be generated from renewable sources by the year 2010. Senate Bill (SB) X1 2 established a three-stage compliance period: 20 percent by December 31, 2013, 25 percent by December 31, 2016, and 33 percent by December 31, 2020.

### 1.8.2.3 CALIFORNIA GLOBAL WARMING SOLUTIONS ACT OF 2006, AB 32

This California Global Warming Solutions Act, AB 32 (Statutes 2006; Chapter 488; Health and Safety Code Sections 38500 et. seq) requires the California Air Resources Board (ARB) to enact standards that

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will reduce GHG emissions to 1990 levels by 2020. Electricity production facilities are regulated by the ARB.

### **1.8.2.4 TITLE 17 CALIFORNIA CODE OF REGULATIONS (CCR)**

Title 17 CCR, Subchapter 10, Article 2, Sections 95100 et seq. are ARB regulations that implement mandatory GHG emissions reporting as part of the California Global Warming Solutions Act of 2006.

### **1.8.2.5 CALIFORNIA ENDANGERED SPECIES ACT**

The California Endangered Species Act (CESA) is codified at Fish and Game Code Section 2050. That section prohibits "take" of any species that the commission determines to be an endangered species or a threatened species. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

CESA allows for take incidental to otherwise lawful activity. CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species. Early consultation is also helpful in developing appropriate mitigation to offset losses of listed species populations and their essential habitats.

### **1.8.2.6 CALIFORNIA LAKE AND STREAMBED PROGRAM**

The Department of Fish and Game (CDFG) is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. The California Lake and Streambed Program (Fish and Game Code Sections 1601 to 1603) requires an entity to notify CDFG prior to constructing any project that would divert, obstruct or change the natural flow, bed, channel, or bank of any river, stream, or lake. Preliminary notification and project review generally occur during the environmental review process. CDFG is required to propose reasonable project changes and/or mitigation to protect the resource in cases where an existing fish or wildlife resource may be substantially adversely affected. Changes or mitigations are formalized in a Streambed Alteration Agreement that becomes part of the plans, specifications, and bid documents for the project.

## **1.8.3 LOCAL**

### **1.8.3.1 IMPERIAL COUNTY GENERAL PLAN AND LAND USE ORDINANCE**

The Imperial County General Plan provides guidance on future growth in the County. Any development within the jurisdiction of the County must be consistent with the General Plan and the Land Use Ordinance (Title 9, Division 10). The BLM-managed lands surrounding the Gen-tie Line portion of the project are not subject to the requirements of the General Plan because the BLM is a Federal agency. However, the BLM regulations require that resource management plans be consistent with local governments' officially approved resource related plans (FLPMA, Sec. 202(c) (9)).

### **1.8.3.2 IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT**

Imperial County Air Pollution Control District is responsible for enforcing rules and regulations regarding air emissions to protect public health. These regulations apply to various activities including construction, farming, and operational activities associated with various land uses.

## 1.9 PUBLIC PARTICIPATION OPPORTUNITIES/COMMENTS AND COORDINATION

Imperial County and the BLM conducted the following scoping process to identify the environmental issues for the proposed project. Comments received during this scoping process were considered by both the County and the BLM in preparation of this EIR/EA. This scoping process meets the intent and requirements of CEQA (CEQA Guidelines Section 15082).

### 1.9.1 NOTICE OF PREPARATION

The Imperial County Department of Planning and Development Services issued a Notice of Preparation (NOP) for the preparation of an Environmental Impact Report (SCH. No. 210111056)/Environmental Impact Assessment for the Centinela Solar Energy Project on November 12, 2010. The NOP was distributed to city, county, state and federal agencies, other public agencies, and various interested private organizations and individuals to define the scope of the EIR/EA. The NOP was also published in the Holtville Tribune on November 11 and 12, 2010. The purpose of the NOP was to identify public agency and public concerns regarding the potential impacts of the Proposed Action, and the scope and content of environmental issues to be addressed in the EIR/EA. Comment letters in response to the NOP were received from Caltrans, the Imperial Irrigation District, the Native American Heritage Commission, the Imperial County Agricultural Commissioner, the Imperial County Farm Bureau and the U.S. Customs and Border Protection. A summary of the areas of controversy or issue raised in these letters is summarized in **Table 1.0-2**. The NOP and written comments received during the public review period for the NOP are included in on the attached CD of Technical Appendices as **Appendix A** of this EIR/EA. Circulation of the NOP ended on December 13, 2010.

**TABLE 1.0-2  
SUMMARY OF NOP COMMENTS**

Agency	Area of Controversy or Issue
Caltrans	<ul style="list-style-type: none"> <li>• Visual impacts, including glint and glare, on motorists traveling on SR-98</li> <li>• Access must occur only from SR-98 or a permitted highway access location</li> <li>• Requirements for line supports relative to Caltrans facilities</li> <li>• Traffic control during construction</li> </ul>
Imperial Irrigation District	<ul style="list-style-type: none"> <li>• IID canals, laterals and drains may be impacted by the project</li> <li>• Encroachment permits will be required for IID facilities disturbed by the project</li> <li>• Securing water supply from IID will require compliance with all applicable IID policies</li> <li>• All new, relocated, upgraded and reconstructed IID facilities will require environmental review as part of the EIR/EA</li> </ul>
Native American Heritage Commission	<ul style="list-style-type: none"> <li>• Recommends early consultation with Native</li> </ul>

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**TABLE 1.0-2**  
**SUMMARY OF NOP COMMENTS**

Agency	Area of Controversy or Issue
	<p>American tribes</p> <ul style="list-style-type: none"><li>• Contact California Historic Resources Information System and Office of Historic Preservation</li><li>• Recommends avoidance of resources where possible and inclusion of measures to address accidental discovery</li><li>• Provided list of Native American contacts in Imperial County</li></ul>
Imperial County Agricultural Commissioner	<ul style="list-style-type: none"><li>• Requests that a Fiscal Impact Analysis be performed to determine economic impacts resulting from loss of crop value, employment, personal income, etc.</li><li>• Concerns regarding prohibiting pesticide application on adjacent lands during construction</li><li>• Concerns regarding glare impacts on aerial application of pesticides</li><li>• Potential for more dust on panels necessitating more frequent cleaning</li><li>• Potential for areas under panels to harbor pests and weeds destructive to crops on adjacent lands</li></ul>
Imperial County Farm Bureau	<ul style="list-style-type: none"><li>• Concerned about impacts of conversion of project site on surrounding agricultural lands</li><li>• Identify the source, availability and annual projected water use required for this project during construction and operation</li><li>• Concerns regarding prohibiting pesticide application on adjacent lands during construction</li><li>• Concerns regarding glare impacts on aerial application of pesticides</li><li>• Requests that a Fiscal Impact Analysis be performed to determine economic impacts resulting from loss of crop value, employment, personal income, etc.</li><li>• Potential for areas under panels to harbor pests and weeds destructive to crops on adjacent</li></ul>

**TABLE 1.0-2  
SUMMARY OF NOP COMMENTS**

Agency	Area of Controversy or Issue
	lands <ul style="list-style-type: none"> <li>• Include mitigation to return farmland to original condition should project operations cease</li> <li>• Discuss Imperial County Right to Farm Ordinance with regard to businesses operating near agricultural operations.</li> </ul>
U.S. Customs and Border Protection	<ul style="list-style-type: none"> <li>• Concerned about areas south of SR 98</li> <li>• Concerns about ability to have access to the site</li> <li>• Concerns regarding obstruction of views on the site which could increase criminal activity</li> <li>• Safety concerns regarding contact with high voltage equipment</li> </ul>

### 1.9.2 SCOPING MEETING

A public scoping meeting was held for the proposed project/Proposed Action to solicit input on the scope and content of the EIR/EA. CEQA Guidelines Section 15082(c)(2) addresses parties to be included in a scoping meeting. Likewise, the CEQ regulations direct agencies to encourage and facilitate public involvement in the NEPA process (40 CFR 1500.2(d), 40 CFR 1506.6) leaving the BLM to determine the level of involvement that works best for each individual EA. The BLM participated in an initial scoping meeting conducted by Imperial County on November 18, 2010 at 4:00 pm at the Board of Supervisors meeting room to gather input from the public. No oral comments were received at the public scoping meeting.

The County also sent an NOP to responsible agencies to provide input on the project during the 30-day comment period (November 12 thru December 13, 2010). The BLM also sent correspondence regarding the Proposed Action to existing and proposed right-of-way holders on November 17, 2010. Notification letters were sent to Native American Tribes by the BLM on February 18, 2011. No other public outreach was conducted in association with the Proposed Action by the BLM or the County.

### 1.9.3 AIRPORT LAND USE COMMISSION MEETING

The Proposed Action was presented and discussed at the County's Airport Land Use Commission (ALUC) Meeting held on March 16, 2011. The ALUC reviewed the proposed application, including the variance for transmission tower height described in section 1.2, above. The ALUC determined that the project would be consistent with the Imperial County Airport Land Use Compatibility Plan (ALUCP) as proposed and no height restrictions are required for the proposed transmission line towers. Following this meeting, LS Power and the BLM understood that no lighting would be required for structures less than 200 feet. A subsequent ALUC meeting convened on April 20, 2011. However, the commission did not have a quorum and had to be rescheduled. The ALUC met on May 10, 2011 to provide clarification regarding the requirement of lighting. At this meeting, the ALUC approved a requirement for marker balls to be installed on the shield wires spanning SR 98 and the Westside Main Canal only, and not the

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entire length of the Gen-tie Line. Daytime and nighttime lighting was recommended only for the towers on private land (Black pers. comm., 2011).

### 1.10 AVAILABILITY OF REPORTS

This Draft EIR/EA, appendices, and documents incorporated by reference are available for public review at the Imperial County Planning and Development Services Department, 801 Main Street, El Centro, California, 92243. Copies are also available for review at the City of El Centro Public Library, 539 State Street, El Centro, California. Documents at these locations may be reviewed during regular business hours. This document is available for review online at the Imperial County Planning and Development Services website: <http://www.icpds.com>. Additionally, this document is available for review online at the BLM's website: <http://www.blm.gov/ca/st/en/fo/elcentro.html>. All comments on the Draft EIR/EA are directed to:

David Black, Planner IV  
Imperial County Planning and Development Services Department  
801 Main Street  
El Centro, California 92243

Comments received during the public scoping meeting were reviewed and addressed in this Draft EIR/EA. The Draft EIR/EA will be reviewed by the Imperial County Planning Commission and Board of Supervisors as a part of the procedure to adopt the EIR/EA. Additional information on this process may be obtained by contacting the Imperial County Planning and Development Services Department at (760) 482-4236.

### 1.11 STRUCTURE OF THIS EIR/EA

#### 1.11.1 DRAFT EIR/EA

The structure of this Draft EIR/EA is identified in the Table of Contents. The Draft EIR/EA is organized into nine chapters, including the Executive Summary.

**Executive Summary** - Provides a summary of the Proposed Action, including a summary of project impacts, mitigation measures, and project alternatives.

**Chapter 1.0** - Introduction provides a brief introduction of the Proposed Action; objectives and purpose and need for the Proposed Action; relationship to statutes, regulations and other plans; joint CEQA/NEPA document; public participation opportunities; availability of reports; and, comments received on the Draft EIR/EA.

**Chapter 2.0** - Proposed Action and Alternatives provides a detailed description of the Proposed Action and the project alternatives.

**Chapter 3.0** - Affected Environment provides a description of the existing setting on and in the vicinity of the project site for each issue or resource area identified in Section 1.9, below. This chapter also identifies the regulatory framework for the Proposed Action.

**Chapter 4.0** - Examines the environmental consequences (direct, and indirect associated with implementation of the Proposed Action and Alternatives (Alternative 1 - Double Circuit Gen-tie Line Structures, Alternative 2 - Reduced CSE Facility Site, Alternative 3 - Use Existing Electric Line Towers and 230-kV Line Looping and Undercrossing, and Alternative 4 - No Action/No Project Alternative).

**Chapter 5.0** - Examines the cumulative environmental consequences (individual cumulative projects combined with the proposed project and cumulative projects in combination with the proposed project) with implementation of the Proposed Action and Alternatives (Alternative 1 - Double Circuit Gen-tie Line Structures, Alternative 2 - Reduced CSE Facility Site, Alternative 3 - Use Existing Electric Line Towers and 230-kV Line Looping and Undercrossing, and Alternative 4 - No Action/No Project Alternative)

**Chapter 6.0** - Other CEQA Required Considerations provides an analysis of significant irreversible environmental changes, growth inducing impacts, and unavoidable significant environmental impacts.

**Chapter 7.0** - Effects Found Not to Be Significant identifies all issues determined to be less than significant under CEQA.

**Chapter 8.0** - EIR/EA Preparers, Persons, and Organizations Contacted lists all the individuals and agencies involved in the preparation of the EIR/EA as well as the individuals and agencies consulted and cited in the EIR/EA.

**Chapter 9.0** - References lists the data references used in preparing the EIR/EA.

### 1.11.2 TECHNICAL APPENDICES

The technical reports for agricultural resources; air quality; biological resources; cultural resources; geology/soils; greenhouse gas emissions; health, safety and hazardous materials; hydrology and water quality; noise; and, transportation/circulation are provided on the attached CD found on the back cover of this Draft EIR/EA. These reports are referenced at the beginning of each environmental issue area and within the relevant environmental analysis sections of this document. Incorporation by reference is permitted by Section 15150 of the CEQA Guidelines. In addition, the project-specific technical reports included in the appendices, other documents and reference sources have been used in the preparation of this Draft EIR/EA in Section 8.0, References. The baseline physical conditions as analyzed in these reports are the conditions that existed at the time of the issuance of the NOP for the EIR/EA (CEQA Guideline Section 15125 (a)).

### 1.12 ISSUES TO BE ADDRESSED

The issues evaluated in this EIR/EA include the physical, biological, cultural, socioeconomic, and other resources that have the potential to be affected by activities related to the Proposed Action and alternatives. The issues were identified through the preparation of an Initial Study and consultation with the BLM:

- Visual Resources
- Land Use and Special Designations
- Transportation and Circulation
- Air Quality
- Greenhouse Gas Emissions/Climate Change
- Geology and Soils
- Cultural Resources
- Noise
- Agricultural Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Biological Resources
- Paleontological Resources
- Environmental Justice
- Recreation



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Resources that do not exist in the project area and therefore do not warrant analysis in the EA/EIR include:

- Livestock Grazing
- Wild Horses and Burros

### 1.13 ISSUES SCOPED OUT FROM FURTHER ENVIRONMENTAL REVIEW

In addition, the Initial Study for the proposed Centinela Solar Energy Project prepared by the County of Imperial concluded that the project would not cause significant impacts related to various topics addressed in the CEQA Environmental Checklist (included in **Appendix A** of this EIR/EA). Therefore, those topics are not addressed in this EIR/EA. The reasons for concluding that no significant impacts would occur related to those topics are disclosed in the Initial Study, which was distributed with the NOP in December 2010. CEQA Environmental Checklist topics not addressed in this EIR/EA, and the rationale for their exclusion, include by issue:

#### **Aesthetics (Visual Resources)**

- Substantially damage scenic resources, including, but limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The proposed project site is not near any scenic vista or scenic highway, nor does it appear that it would damage or degrade any existing scenic resources. Thus, no impact is identified for this issue area.

#### **Agriculture and Forestry Resources**

- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220) timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 511 04(g)?
- Result in the loss of forest land or conversion of forest land to non-forest use?

The land is currently zoned A-2 (General Agriculture), A-2-R (General Agricultural Rural Zone) and A-3 (Heavy Agriculture) and is designated by the General Plan as "Agriculture." Solar energy facilities are allowed within these zones subject to a Conditional Use Permit. Thus, the project does not conflict with existing zoning for agriculture and no impact is identified for this issue area.

There are no existing forest lands, timberlands, or timberland zoned Timberland Production either on-site or in the immediate vicinity that would conflict with existing zoning or cause rezoning. Therefore, no impact is identified for this issue area. There are no existing forest lands either on-site or in the immediate vicinity of the site. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact is identified for this issue area.

#### **Hazards and Hazardous Materials**

- Hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a school?
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The project site is not within one-quarter mile of an existing or proposed school. Therefore, no impact is identified for this issue area.

- Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The project site is not listed as a hazardous materials site pursuant to Government Code, Section 65962.5. Accordingly, no impact is identified for this issue area.

- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The project site is not within two miles of a public airport or a private airstrip. Thus, no impact is identified for these issue areas.

- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

As identified in the Seismic and Public Safety Element of the County of Imperial General Plan, the "Imperial County Emergency Plan" addressed Imperial County's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations.

The proposed circulation plan for the project site will be required to provide emergency access points and safe vehicular travel. In addition, local building codes would be followed to minimize flood, seismic, and fire hazard. Thus, the proposed project would not impair the implementation or physically interfere with any adopted emergency response plans or emergency evacuation plans. No impact is identified for this issue area.

- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project site is not characterized as an area of urban/wildland interface. According to the Imperial County Natural Hazard Disclosure (Fire) Map prepared by the California Department of Forestry and Fire Protection (2000) the project site does not fall into an area characterized as either: (1) a wildland area that may contain substantial forest fire risk and hazard; or (2) very high fire hazard severity zone. Thus, the project site would not expose people or structures to significant risk of loss, injury or death involving wildland fire and no impact is identified for this issue area.

### **Hydrology and Water Quality**

- Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- Place within a 100-year flood hazard area structures which would impede or redirect the flood flows?
- Expose people or structures to a significant risk of loss injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

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According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, the majority of the project site is in Zone X, which is an area determined to be outside of the 0.2 percent annual chance of a flood. A portion of the project site is in Zone A, which is an area subject to 1 percent annual chance of a flood. However, the project does not propose the placement of housing or structures within a 100-year flood hazard area. Thus, no impact is identified for these issue areas.

- Inundation by seiche, tsunami, or mudflow?

No bays or lakes are within a two-mile radius of the project site and the project site is over 100 miles from the Pacific Ocean. In addition, the project site is relatively flat and level. Therefore, there is no potential for the project site to be inundated by seiches, tsunamis, or mudflows. Thus, no impact is identified for this issue.

### Land Use

- Physically divide an established community?

The proposed project does not physically divide any established community. Thus, no impact is identified for this issue area.

### Mineral Resources

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The entire project site is not utilized for mineral resource production. According to the Conservation and Open Space Element of the County of Imperial General Plan, no known mineral resources occur within the project site nor does the project site contain mapped mineral resources. As such, the proposed project would not adversely affect the availability of any known mineral resources within the project site. Thus, no impact is identified for these issue areas.

### Noise

- For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The project site is not within two miles of a public airport or a private airstrip. Thus, no impacts have been identified for these issue areas.

### Population and Housing

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)?
- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Two single-family residences (on parcels 052-170-018 and 052-170-076) are on the site and are planned to be demolished and removed. A mobile home on parcel 052-170-058 will be removed prior to construction. The project does not propose the development of housing. The project would require approximately 5 to 7 full-time personnel for operations and maintenance of the solar facility. Accordingly, substantial population growth is not anticipated as the number of employees required to operate and maintain the facility is minimal. Therefore, no impact is identified for these issue areas.

### **Public Services**

- Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire, police, schools, parks, or other public facilities?

### **Schools and Parks**

The proposed solar facility would not result in a substantial increase in population. The project does not contain a residential component which would result in additional population. The proposed project would not create an increase need of schools as no students would be generated by the project. Likewise, no parks are needed because the project is not a residential use that would generate demand for parks. As such, the proposed project would not have an adverse physical effect on the environment because the project does not require new or significantly altered services or facilities to be constructed with regards to schools and parks. Therefore, no impact is identified for this issue area.

### **Fire Protection**

The Imperial County Fire Department (ICFD) provides fire protection and emergency medical services to unincorporated portions of the County. Fire service is provided in cooperation with incorporated cities and volunteer units in the unincorporated communities of Imperial County. Mutual aid agreements have been established with all cities in the County to address incidents requiring equipment and personnel beyond an individual fire department's capacity to respond. These agreements result in dispatch of the closest unit available to respond upon request for services. Fire departments from all jurisdictions within Imperial County have automatic mutual-aid agreements to provide additional fire response services when the primary responding stations cannot respond to an emergency.

The project includes provision of on-site fire protection features including up to nine, 10,000-gallon firewater tanks located throughout the solar field. PV modules are typically Class C fire-rated and the remainder of the equipment is of nonflammable material (aluminum, steel, and glass). The solar field will be maintained with a minimum of vegetation and other combustible materials. Buildings in the common services areas of the CSE Facility will be designed with fire protection systems based on applicable Imperial County requirements. Access roads will provide emergency access throughout the solar field. Therefore, the proposed project would not have an adverse physical effect on the environment because the project does not require new or significantly altered fire protection services or facilities to be constructed. Therefore, no impact is identified for fire protection.

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### ***Police Protection***

The project site is in the Imperial County Sheriff's Department South County Patrol Division service area. Due to the large size of the patrol area, emergency response times can vary. Depending on the location of the deputy relative to the area from which the call was received, response times can range from approximately five minutes to one hour. However, emergency calls involving public safety take priority.

Due to the project's location near the international border with Mexico, the U.S. Border Patrol was consulted regarding any concerns about safety relative to the project. Border Patrol staff indicated that concerns deal primarily with access to the facilities for the purpose of patrolling the border and incorporation of security measures as part of project design (Kim, 2011).

Federal law provides statutory authority for the U.S. Border Patrol to enter onto both private and public land within 25 miles of the border for the purpose of patrolling the border. This southern boundary of the project site is less than 2 miles from the Mexican border. Border Patrol staff indicated that the southernmost section of the project site does experience illegal cross-border activity. As such, Border Patrol agents may need to enter lands that are within the project's perimeter. In such cases, adequate arrangements must be in place to provide Border Patrol access to the site without unreasonable delays (Kim, 2011).

The El Centro Sector Border Patrol also requests that Centinela Solar consider and implement sound security measures on their lands and facilities. Since significant portions of this project are close to the border with Mexico and in areas with frequent illegal cross-border activity, any security measures that make the project lands and facilities less attractive for illegal activities helps ensure a higher level of national security and helps preserve Centinela Solar's assets and investments (Kim, 2011).

The proposed project, as a renewable energy project, would not result in an increase in residential uses in the Imperial County Sheriff's Department's service area. The project anticipates a total of seven full-time employees. Various safety and security equipment will be installed to prevent unwanted access, including a security fence surrounding the entire perimeter of the CSE Facility. The security fence would be 8-feet in height and constructed of 2-inch chain link diamond mesh topped with three-strand barbed wire with line posts a maximum of 10 feet apart. Barbed wire is required for security and for safety (restricted access to high voltage equipment). The CSE Facility substation would have a separate interior fence.

Other security features include a security system that would provide remote observation, recording, and alarming of site conditions. The security system would employ cameras, motion detectors and lighting, and other hardware to detect and record the presence of intruders or other hazards on the CSE Facility site. Alarms would alert personnel to respond appropriately. The Applicant also intends to coordinate with the Border Patrol regarding any specific needs to access the site. Access gates around the perimeter of the project will incorporate lock features that provide 24-hour access to emergency services.

During unstaffed hours (such as nighttime), a third party security service would be hired to monitor the CSE Facility. In the solar field, security lighting would be provided at the gates, canal and drain crossings, and other locations where necessary for security or safety.

With these features installed on-site, security on the solar facility would be adequate and would not require the addition of staff to the Imperial County Sheriff's Department. The proposed project would thus not have an adverse physical effect on the environment because the project does not require new

or significantly altered police services or facilities to be constructed. Therefore, no impact is identified for police service.

### **Recreation**

- Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?

The proposed project is a solar facility and would not create a demand for recreation or parks in the County. Thus, no impact is identified for recreation as it relates to existing neighborhood and regional parks or the construction or expansion of recreational facilities. Recreation as it relates to affecting access to recreational facilities located on BLM land is discussed in Sections 3.15 and 4.15.

### **Transportation/Traffic**

- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed project would not result in changes to existing air traffic patterns through an increase in traffic levels or change in location. Thus, no impact is identified for this issue area.

- Conflicts with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The proposed project would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Thus, no impact is identified for this issue area.

### **Utilities and Service Systems**

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

### **Wastewater Treatment**

Domestic wastewater from the operations and maintenance building is expected to be limited in volume due to the few staff members (five to seven) required on-site. The CSE Facility will collect wastewater generated in the operations and maintenance building and convey it to an on-site sanitary waste septic system and leach field. Alternatively, wastewater may be conveyed to an underground tank for storage until it is pumped out, on a periodic or as-needed basis, and transported for disposal at a licensed waste treatment facility. Thus, a less than significant impact is identified for impacts associated with exceeding wastewater treatment requirements.

- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Wastewater would likely be treated on-site or alternatively may be stored for removal and treatment off-site. No municipal wastewater treatment provider would be affected. Therefore, no impact to a wastewater treatment provider would occur.

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- Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

### ***Water Treatment***

The proposed project is anticipated to result in a minimal increase in water demand and use. Water will be needed for domestic and industrial use, solar panel washing and fire protection. Industrial water will be supplied to the project under an industrial service water agreement with the Imperial Irrigation District. The CSE Facility may process industrial supply water on-site for use in washing the PV panels. The water treatment system may be either a dedicated on-site system or a trailer-mounted system. The water will be treated to remove dissolved solids, likely using a combination reverse osmosis and deionization. Regeneration of ion-exchange resins, if used, will be performed off-site. Water treatment byproducts such as reverse osmosis brine and demineralized rinse water will either be captured and trucked offsite or be sent to on-site evaporation ponds. Demineralized water will be used on an as-needed basis to remove dust and clean other light-blocking contaminants from the PV modules.

A 200,000 gallon raw water storage tank and a 200,000 gallon treated water storage tank will be placed at the common service area to protect against interruptions in water service and to provide storage capacity for fire suppression. Additionally up to nine, 10,000-gallon firewater tanks will be distributed throughout the solar field.

Potable water supply would be provided from a bottled water or similar water delivery service.

Provision of water treatment is included as part of the proposed project and the environmental impacts of constructing the treatment plant are addressed in Sections 4.1 through 4.15 of this EIR/EA. Thus, a less than significant impact is identified for impacts associated with construction of new water or water treatment facilities or expansion of existing facilities.

- Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

### ***Stormwater Facilities***

No municipal stormwater drainage facilities are in the project area. The project would not drastically alter existing drainage patterns and no new or expanded stormwater drainage facilities would be required. Therefore, no impact would with regard to stormwater facilities.

- Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

### ***Water Supply***

Under Senate Bill (SB) 610, a water supply assessment (WSA) must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in the California Water Code Section 10912) subject to CEQA. Due to increased water demands, SB 610 seeks to improve the link between information on water availability and certain land use decisions made by cities and counties. SB 610 requires any project subject to CEQA to provide a WSA if it meets one of the seven definitions of “a project” as identified Water Code Section 10912. The proposed project meets the definition of Water Code Section 10912(a)(7) regarding a proposed industrial use occupying more than 40 acres of land. The project site is approximately 2,067 acres (with approximately 1,861 acres of cultivated land) which is substantially larger than the 40 acre threshold. Thus, a WSA was prepared for

the proposed project. The WSA is included on the attached CD of Technical Appendices in **Appendix A** of this EIR/EA.

IID serves as the regional water supplier to the Imperial Unit which encompasses agricultural areas as well as the seven incorporated cities of Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial and Westmorland. IID imports raw Colorado River water and delivers it untreated to agricultural, municipal, and industrial water users within its Service Area (refer to Figure 4 in the WSA included in **Appendix A** of this EIR/EA) which includes the project site. IID has an annual apportionment of 3.1 million acre-feet of Colorado River water per year. Due to the dependability of IID's water rights, Colorado River flows, and storage facilities for Colorado River water, it is unlikely that the water supply of IID would ever be affected, even in dry years or under drought conditions. Industrial water would be supplied to the project under an industrial service water agreement with the IID.

Based on the history of water delivered to the project area by IID from 2000 to 2010, on average the project site has received approximately 3,328,470,209 gallons of water per year which equates to approximately 10,215 acre-feet per year. A change in the project site's land use from agriculture to a solar energy facility would result in an annual consumption of approximately 5,865,318 gallons per year which equates to approximately 18-acre feet per year. This is a decrease of approximately 99.9 percent compared to the historical annual water usage for the project area (10,215 acre-feet per year) (ECORP, 2011). Stated another way, the site would require 0.01 acre-feet per acre of water compared to the historical 4.63 acre-feet per acre for agriculture. This is substantially less than is currently needed to support existing agricultural operations on the site (refer to the WSA included in **Appendix A** of this EIR/EA).

Water requirements for construction activities would average approximately 12 acre-feet per month for the CSE Facility and 3-acre-feet per month for the Gen-tie Line (ECORP, 2011). Phase I construction of 175-MW of the total project is anticipated to take 22 to 28 months. Phase II is estimated to take 15 to 18 months to construct the remaining 100-MW of the project. Based on the consumption estimate provided by the Applicant (12 acre-feet per month), Phase I would require from 330 (22 months x 15-acre-feet per month) to 420 (28 months x 15-acre-feet per month) acre-feet of water (assuming 15 acre-feet per month since the Gen-tie Line would be constructed as part of Phase I) and Phase II would require from 180 (15 months x 12-acre-feet per month) to 216 (18 months x 12-acre-feet per month) acre-feet of water during construction. Thus, total demand during construction would range from 510 acre-feet (330 acre-feet + 180 acre-feet) to 636 acre-feet (420 acre-feet + 216 acre-feet) for both Phases I and II.

As water supply is available from IID, and project demand is projected far below existing quantities used for agricultural irrigation on this site, no impact would occur regarding water supply during both construction and operation and maintenance of the project.

### ***Solid Waste***

- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

During operations of the proposed project, waste generation will be minor. Solid waste will be handled by a locally-licensed waste hauling service for disposal at a landfill. Eight landfills are in Imperial County, including Allied Imperial Landfill, approximately 15 miles north of the project site. Thus, a less than significant impact is identified regarding sufficient landfill capacity to meet the project's solid waste needs.



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- Comply with federal, state, and local statutes and regulations related to solid waste?

Solid wastes generated during operation of the project will be handled by a locally-licensed waste hauling service for disposal at a landfill. No impacts would occur regarding federal, state and local statutes regarding solid waste.